

RECEIVED  
CENTRAL FAX CENTER

**AUG 04 2004**

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

|                    |                              |   |                             |
|--------------------|------------------------------|---|-----------------------------|
| <b>Applicant:</b>  | <b>Darryl Scott Burkett</b>  | ) |                             |
|                    |                              | ) |                             |
| <b>Serial No.:</b> | <b>09/644,923</b>            | ) | <b>Group Art Unit: 3652</b> |
|                    |                              | ) |                             |
| <b>Filed:</b>      | <b>August 23, 2000</b>       | ) | <b>Examiner: T. Brahan</b>  |
|                    |                              | ) |                             |
| <b>For:</b>        | <b>Trailer-Mounted Crane</b> | ) |                             |
|                    | <b>Apparatus</b>             | ) |                             |

**OFFICIAL**

## AMENDMENT D AFTER FINAL

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**Sir:**

**This amendment is in response to the Office Action dated April 9, 2004 wherein the Examiner rejected claims 1-21, 24 and 26-35 but indicated the allowability of claims 1-10 and 15-16 if rewritten to overcome a 35 USC §112 rejection.**

## IN THE SPECIFICATION

**Please amend the paragraph that begins at line 4 of page 6 as follows:**

Figure 2 is a fragmentary elevational perspective view of the trailer-mounted crane apparatus of Figure 1, in a latter stage of driving a piling sheet;

Adjustment Date: 11/03/2004 SDIRETA1  
10/08/2004 AGRAY1 00000003 502970 09644923  
01 FC:2252 435.00 CR

11/03/2004 SDIRETA1 00000003 502970 09644923

|            |       |    |
|------------|-------|----|
| 01 FC:2202 | 9.00  | DA |
| 02 FC:2201 | 86.00 | DA |

|                                       |                                 |              |                 |
|---------------------------------------|---------------------------------|--------------|-----------------|
| <b>PETITION FOR EXTENSION OF TIME</b> |                                 | Docket No.:  | RIV6172P0010US  |
| Serial No.:                           | 09/644,923                      | Filing Date: | August 23, 2000 |
| Group Art Unit:                       | 3652                            | Examiner:    | T. Brahan       |
| Applicant(s):                         | Darryl Scott Burkett            |              |                 |
| Invention:                            | Trailer-Mounted Crane Apparatus |              |                 |

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

Applicant(s) hereby petition(s) under the provisions of 37 C.F.R. §1.136(a) to extend the period for filing a response to the Office Action dated April 9, 2004 in the above-identified application for the period required to make the attached response timely.

| Extension Fee For<br>Response Within: | First Month                                 | Second<br>Month                   | Third Month                       | Fourth<br>Month                     |
|---------------------------------------|---|-----------------------------------|-----------------------------------|-------------------------------------|
| Large Entity:                         | <input type="checkbox"/> \$110.00           | <input type="checkbox"/> \$420.00 | <input type="checkbox"/> \$950.00 | <input type="checkbox"/> \$1,480.00 |
| Small Entity:                         | <input checked="" type="checkbox"/> \$55.00 | <input type="checkbox"/> \$210.00 | <input type="checkbox"/> \$475.00 | <input type="checkbox"/> \$740.00   |

- ☐ A check in the amount of \$ to cover the extension fee is enclosed.
- ☒ Charge \$55.00 to Deposit Account No. 50-2970.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §1.17, or credit any overpayment, to Deposit Account No. 50-2970.

11/03/2004 SDIRETA1 00000003 502970 09644923 Respectfully submitted,

03 FC:2251 55.00 DA

By   
Randall T. Erickson, Reg. No. 33,872

The Law Office of Randall T. Erickson, P.C.  
425 W. Wesley St., Suite 1  
Wheaton, IL 60187  
(630) 665-9404

Adjustment date: 11/03/2004 SDIRETA1  
08/27/2004 VROGERS 00000006 502970 09644923  
01 FC:2201 172.00 CR  
02 FC:2202 81.00 CR

Adjustment date: 11/03/2004 SDIRETA1  
10/08/2004 AGRAY1 00000003 502970 09644923  
01 FC:2252 435.00 CR 630-665-9414

ERICKSON Aug 04 04 03:58P

**THE LAW OFFICE OF RANDALL T. ERICKSON, P.C.**  
**ATTORNEY AT LAW**  
**INTELLECTUAL PROPERTY LAW**

RANDALL T. ERICKSON

E-Mail: [randall@erickson.sbcglobal.net](mailto:randall@erickson.sbcglobal.net)SUPREME COURT OF ILLINOIS  
FEDERAL DISTRICT COURT - NORTHERN DISTRICT OF ILLINOIS  
COURT OF APPEALS FOR THE FEDERAL CIRCUITREGISTERED TO PRACTICE BEFORE  
THE UNITED STATES PATENT AND TRADEMARK OFFICE425 W. WESLEY STREET, SUITE 1  
WHEATON, ILLINOIS 60187  
VOICE (630) 665-9404  
FACSIMILE (630) 665-9414

September 29, 2004

VIA FACSIMILE 703-308-6778

2 pages only

Latrice Sims  
USPTORe: Patent Application for "Trailer-Mounted Crane Apparatus"  
Serial No. 09/644,923  
Our Case No.: 6172P0010US

Ms. Sims:

Please be advised that upon review of our deposit account 50-2970, we found the following charges:

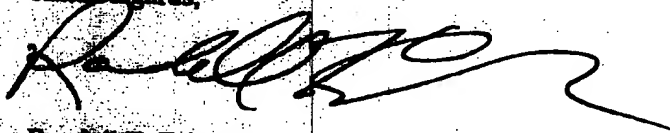
|      |          |      |          |
|------|----------|------|----------|
| 8/27 | 09644923 | 2201 | \$172.00 |
| 8/27 | 09644923 | 2202 | \$81.00  |

253.00

These charges are for a large entity and this applicant is small entity. We have enclosed a copy of the Amendment D Transmittal, which reflects the appropriate charges for a small entity.

Please refund the appropriate money to our deposit account at your earliest convenience.

Kind Regards,



Randall T. Erickson

RTE/jer

BEST AVAILABLE COPY

|   |                                 |              |                  |
|---|---------------------------------|--------------|------------------|
| <b>RESPONSE TO OFFICE ACTION<br/>TRANSMITTAL LETTER</b> |                                 | Docket No.:  | RIV6172P0010US   |
| Serial No.:   | 09/644,923                      | Filing Date: | 08/23/2000       |
| Group Art Unit:   | 3652                            | Examiner:    | Thomas J. Brahan |
| Applicant(s):   | Burkert, Darryl S.              |              |                  |
| Invention:  | Trailer-Mounted Crane Apparatus |              |                  |

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is Amendment D After Final in response to the office communication dated April 9, 2004 in the above-identified application.

- ☒ Small entity status of this application under 37 CFR §1.9 and §1.27 has been established by a verified statement previously submitted.
- ☒ A verified statement to establish small entity status under 37 CFR §1.9 and §1.27 is enclosed.
- ☐ Petition for a one-month extension of time is enclosed.
- ☐ No additional claim filing fee is required.

The fee has been calculated as shown below:

| CLAIMS<br>REMAINING AFTER<br>AMENDMENT          | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT EXTRA | SMALL ENTITY |                   | LARGE ENTITY |                   |
|---|---------------------------------------|---------------|--------------|-------------------|--------------|-------------------|
|   |                                       |               | RATE         | ADDITIONAL<br>FEE | RATE         | ADDITIONAL<br>FEE |
| TOTAL 33  | MINUS - 32                            | = 1           | x \$9.00 =   | \$9.00            | x \$18.00 =  | \$                |
| INDEPENDENT 7                                   | MINUS - 5                             | = 2           | x \$45.00 =  | \$90.00           | x \$90.00 =  | \$                |
| First presentation of multiple dependent claims |                                       |               | + \$145.00 = | \$                | + \$290.00 = | \$                |
| Total Fee                                       |                                       |               |              | \$99.00           |              | \$                |

- ☒ Please charge Deposit Account No. 50-2970 in the amount of \$99.00 to cover the claim filing fee and \$55.00 for the fee associated with the request for extension of time.
- ☐ A check is enclosed in the amount of \$ to cover the additional claim filing fee.
- ☐ Conditional Petition For Extension of Time. An extension of time, if necessary, is requested to provide for timely filing of this communication.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this communication or credit any overpayment to Deposit Account No. 50-2970.

Date: August 4, 2004

By

Randall T. Erickson, Reg. No. 33, 872

Correspondence Address:  
The Law Office of Randall T. Erickson, P.C.  
425 W. Wesley St., Suite 1  
Wheaton, IL 60187  
(630) 665-9404

### CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and all referenced documents are being transmitted by facsimile to the Patent and Trademark Office at (703) 872-9306 on August 4, 2004.

Randall T. Erickson

BEST AVAILABLE COPY